



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

Agency: Department of Social and Health Services, Economic Services Administration

Subject of possible rule making:

The department is proposing to amend rules, or adopt new sections, regarding the allowable use of benefits for cash and food assistance programs. This may include amending rules in Washington Administrative Code (WAC) chapter 388-412, WAC chapter 388-446, WAC 388-472-0005, and other related rules, and include the creation of a new chapter and WAC section(s).

Statutes authorizing the agency to adopt rules on this subject:

74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.04.510, 9.91.142, 7 CFR 273.16, the Food and Nutrition act of 2008 as amended and 42 USC 601a

Reasons why rules on this subject may be needed and what they might accomplish:

Amendments proposed under this filing are needed to incorporate federal regulations regarding the allowable use of Supplemental Nutrition Assistance Program benefits. Amendments will provide definitions of trafficking and adopt federal penalties for trafficking of food assistance benefits. Additionally amendments may be necessary to conform with restrictions regarding the use of EBT food and cash during the 2011 legislative session or necessary to carry out the purposes of the cash and food assistance programs.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

DSHS incorporates regulations from federal agencies, exercises state options, and implements approved waivers and demonstration projects by adopting administrative rules for the federal Supplemental Nutrition Assistance Program (SNAP) administered as the Washington Basic Food Program. DSHS adopts rules for cash assistance conforming to Federal regulations under title 45 CFR, title IV-A of the Social Security Act, title 74 RCW and the approved TANF State plan.

Process for developing new rule (check all that apply):

- ☒ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☐ Other (describe)

DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact: Holly St. John

Community Services Division

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DATE
April 6, 2011

NAME (TYPE OR PRINT)
Katherine Vasquez

SIGNATURE

TITLE
DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

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